

House File 2492 - Reprinted

HOUSE FILE 2492

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 694)

(As Amended and Passed by the House April 30, 2018)

A BILL FOR

1 An Act relating to appropriations to the justice system, and
2 including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. 2017 Iowa Acts, chapter 167, section 27, is
2 amended to read as follows:

3 SEC. 27. DEPARTMENT OF JUSTICE.

4 1. There is appropriated from the general fund of the state
5 to the department of justice for the fiscal year beginning July
6 1, 2018, and ending June 30, 2019, the following amounts, or
7 so much thereof as is necessary, to be used for the purposes
8 designated:

9 a. For the general office of attorney general for salaries,
10 support, maintenance, and miscellaneous purposes, including
11 the prosecuting attorneys training program, matching funds
12 for federal violence against women grant programs, victim
13 assistance grants, office of drug control policy prosecuting
14 attorney program, and odometer fraud enforcement, and for not
15 more than the following full-time equivalent positions:

16	\$	3,336,154
17		<u>6,511,705</u>
18	FTEs	215.00

19 As a condition of receiving the appropriation provided
20 in this lettered paragraph, the department of justice shall
21 maintain a record of the estimated time incurred representing
22 each agency or department.

23 b. For victim assistance grants:

24	\$	2,508,354
25		<u>5,016,708</u>

26 The moneys appropriated in this lettered paragraph shall be
27 used to provide grants to care providers providing services to
28 crime victims of domestic abuse or to crime victims of rape and
29 sexual assault.

30 The balance of the victim compensation fund established
31 in [section 915.94](#) may be used to provide salary and support
32 of not more than 24.00 full-time equivalent positions and to
33 provide maintenance for the victim compensation functions
34 of the department of justice. In addition to the full-time
35 equivalent positions authorized pursuant to this paragraph,

1 5.00 full-time equivalent positions are authorized and shall
 2 be used by the department of justice to employ one accountant
 3 and four program planners. The department of justice may
 4 employ the additional 5.00 full-time equivalent positions
 5 authorized pursuant to this paragraph that are in excess of the
 6 number of full-time equivalent positions authorized only if
 7 the department of justice receives sufficient federal moneys
 8 to maintain employment for the additional full-time equivalent
 9 positions during the current fiscal year. The department
 10 of justice shall only employ the additional 5.00 full-time
 11 equivalent positions in succeeding fiscal years if sufficient
 12 federal moneys are received during each of those succeeding
 13 fiscal years.

14 The department of justice shall transfer at least \$150,000
 15 from the victim compensation fund established in [section 915.94](#)
 16 to the victim assistance grant program.

17 Notwithstanding [section 8.33](#), moneys appropriated in this
 18 paragraph "b" that remain unencumbered or unobligated at the
 19 close of the fiscal year shall not revert but shall remain
 20 available for expenditure for the purposes designated until the
 21 close of the succeeding fiscal year.

22 c. For legal services for persons in poverty grants as
 23 provided in [section 13.34](#):

24	\$	1,152,301
25		<u>2,304,601</u>

26 2. a. The department of justice, in submitting budget
 27 estimates for the fiscal year commencing July 1, 2019, pursuant
 28 to [section 8.23](#), shall include a report of funding from sources
 29 other than amounts appropriated directly from the general fund
 30 of the state to the department of justice or to the office of
 31 consumer advocate. These funding sources shall include but
 32 are not limited to reimbursements from other state agencies,
 33 commissions, boards, or similar entities, and reimbursements
 34 from special funds or internal accounts within the department
 35 of justice. The department of justice shall also report actual

1 reimbursements for the fiscal year commencing July 1, 2017,
2 and actual and expected reimbursements for the fiscal year
3 commencing July 1, 2018.

4 b. The department of justice shall include the report
5 required under paragraph "a", as well as information regarding
6 any revisions occurring as a result of reimbursements actually
7 received or expected at a later date, in a report to the
8 co-chairpersons and ranking members of the joint appropriations
9 subcommittee on the justice system and the legislative services
10 agency. The department of justice shall submit the report on
11 or before January 15, 2019.

12 3. a. The department of justice shall fully reimburse
13 the costs and necessary related expenses incurred by the Iowa
14 law enforcement academy to continue to employ one additional
15 instructor position who shall provide training for ~~domestic~~
16 ~~abuse and~~ human trafficking-related issues throughout the
17 state.

18 b. The department of justice shall obtain the moneys
19 necessary to reimburse the Iowa law enforcement academy to
20 employ such an instructor from unrestricted moneys from either
21 the victim compensation fund established in [section 915.94](#), the
22 human trafficking victim fund established in [section 915.95](#), or
23 the human trafficking enforcement fund established in 2015 Iowa
24 Acts, chapter 138, section 141.

25 Sec. 2. 2017 Iowa Acts, chapter 167, section 28, is amended
26 to read as follows:

27 SEC. 28. OFFICE OF CONSUMER ADVOCATE. There is appropriated
28 from the department of commerce revolving fund created in
29 section 546.12 to the office of consumer advocate of the
30 department of justice for the fiscal year beginning July 1,
31 2018, and ending June 30, 2019, the following amount, or so
32 much thereof as is necessary, to be used for the purposes
33 designated:

34 For salaries, support, maintenance, and miscellaneous
35 purposes, and for not more than the following full-time

1 equivalent positions:

2 \$ ~~1,568,794~~
 3 3,137,588
 4 FTEs 22.00

5 Sec. 3. 2017 Iowa Acts, chapter 167, section 29, is amended
 6 to read as follows:

7 SEC. 29. DEPARTMENT OF CORRECTIONS — FACILITIES.

8 1. There is appropriated from the general fund of the state
 9 to the department of corrections for the fiscal year beginning
 10 July 1, 2018, and ending June 30, 2019, the following amounts,
 11 or so much thereof as is necessary, to be used for the purposes
 12 designated:

13 a. For the operation of the Fort Madison correctional
 14 facility, including salaries, support, maintenance, and
 15 miscellaneous purposes:

16 \$ ~~21,359,525~~
 17 41,079,882

18 b. For the operation of the Anamosa correctional facility,
 19 including salaries, support, maintenance, and miscellaneous
 20 purposes:

21 \$ ~~16,413,582~~
 22 32,164,148

23 c. For the operation of the Oakdale correctional facility,
 24 including salaries, support, maintenance, and miscellaneous
 25 purposes:

26 \$ ~~29,745,767~~
 27 60,314,427

28 d. For the operation of the Newton correctional facility,
 29 including salaries, support, maintenance, and miscellaneous
 30 purposes:

31 \$ ~~13,830,610~~
 32 28,061,220

33 e. For the operation of the Mount Pleasant correctional
 34 facility, including salaries, support, maintenance, and
 35 miscellaneous purposes:

1 \$ ~~12,338,207~~
2 25,526,413

3 f. For the operation of the Rockwell City correctional
4 facility, including salaries, support, maintenance, and
5 miscellaneous purposes:
6 \$ ~~4,860,229~~
7 10,458,861

8 g. For the operation of the Clarinda correctional facility,
9 including salaries, support, maintenance, and miscellaneous
10 purposes:
11 \$ ~~12,542,703~~
12 24,780,950

13 Moneys received by the department of corrections as
14 reimbursement for services provided to the Clarinda youth
15 corporation are appropriated to the department and shall be
16 used for the purpose of operating the Clarinda correctional
17 facility.

18 h. For the operation of the Mitchellville correctional
19 facility, including salaries, support, maintenance, and
20 miscellaneous purposes:
21 \$ ~~11,197,045~~
22 22,594,090

23 i. For the operation of the Fort Dodge correctional
24 facility, including salaries, support, maintenance, and
25 miscellaneous purposes:
26 \$ ~~14,883,498~~
27 29,660,231

28 j. For reimbursement of counties for temporary confinement
29 of prisoners, as provided in sections 901.7, 904.908, and
30 906.17, and for offenders confined pursuant to section 904.513:
31 \$ ~~787,546~~
32 1,575,092

33 k. For federal prison reimbursement, reimbursements for
34 out-of-state placements, and miscellaneous contracts:
35 \$ ~~242,206~~

484,411

2 2. The department of corrections shall use moneys
 3 appropriated in subsection 1 to continue to contract for the
 4 services of a Muslim imam and a Native American spiritual
 5 leader.

6 Sec. 4. 2017 Iowa Acts, chapter 167, section 30, is amended
 7 to read as follows:

8 SEC. 30. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

9 There is appropriated from the general fund of the state to the
 10 department of corrections for the fiscal year beginning July
 11 1, 2018, and ending June 30, 2019, the following amounts, or
 12 so much thereof as is necessary, to be used for the purposes
 13 designated:

14 1. For general administration, including salaries and the
 15 adjustment of salaries throughout the department, support,
 16 maintenance, employment of an education director to administer
 17 a centralized education program for the correctional system,
 18 and miscellaneous purposes:

19 \$ 2,576,953
 20 9,933,851

21 a. It is the intent of the general assembly that each
 22 lease negotiated by the department of corrections with a
 23 private corporation for the purpose of providing private
 24 industry employment of inmates in a correctional institution
 25 shall prohibit the private corporation from utilizing inmate
 26 labor for partisan political purposes for any person seeking
 27 election to public office in this state and that a violation
 28 of this requirement shall result in a termination of the lease
 29 agreement.

30 b. It is the intent of the general assembly that as a
 31 condition of receiving the appropriation provided in this
 32 subsection the department of corrections shall not enter into
 33 a lease or contractual agreement pursuant to [section 904.809](#)
 34 with a private corporation for the use of building space for
 35 the purpose of providing inmate employment without providing

1 that the terms of the lease or contract establish safeguards to
 2 restrict, to the greatest extent feasible, access by inmates
 3 working for the private corporation to personal identifying
 4 information of citizens.

5 2. For educational programs for inmates at state penal
 6 institutions:

7 \$ ~~1,304,055~~
 8 2,608,109

9 a. To maximize the funding for educational programs,
 10 the department shall establish guidelines and procedures to
 11 prioritize the availability of educational and vocational
 12 training for inmates based upon the goal of facilitating an
 13 inmate's successful release from the correctional institution.

14 b. The director of the department of corrections may
 15 transfer moneys from Iowa prison industries and the canteen
 16 operating funds established pursuant to [section 904.310](#), for
 17 use in educational programs for inmates.

18 c. Notwithstanding [section 8.33](#), moneys appropriated in
 19 this subsection that remain unobligated or unexpended at the
 20 close of the fiscal year shall not revert but shall remain
 21 available to be used only for the purposes designated in this
 22 subsection until the close of the succeeding fiscal year.

23 3. For the development of the Iowa corrections offender
 24 network (ICON) data system:

25 \$ ~~1,000,000~~
 26 2,000,000

27 4. For offender mental health and substance abuse
 28 treatment:

29 \$ ~~14,033~~
 30 28,065

31 ~~5. For department wide duties, including operations, costs,~~
 32 ~~and miscellaneous purposes:~~

33 \$ ~~648,947~~

34 Sec. 5. 2017 Iowa Acts, chapter 167, section 31, is amended
 35 to read as follows:

1 SEC. 31. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
2 SERVICES.

3 1. There is appropriated from the general fund of the state
4 to the department of corrections for the fiscal year beginning
5 July 1, 2018, and ending June 30, 2019, for salaries, support,
6 maintenance, and miscellaneous purposes, the following amounts,
7 or so much thereof as is necessary, to be used for the purposes
8 designated:

9 a. For the first judicial district department of
10 correctional services:
11 \$ ~~7,318,383~~
12 14,786,766

13 It is the intent of the general assembly that the first
14 judicial district department of correctional services maintain
15 the drug courts operated by the district department.

16 b. For the second judicial district department of
17 correctional services:
18 \$ ~~5,691,870~~
19 11,433,739

20 It is the intent of the general assembly that the second
21 judicial district department of correctional services establish
22 and maintain two drug courts to be operated by the district
23 department.

24 c. For the third judicial district department of
25 correctional services:
26 \$ ~~3,583,979~~
27 7,167,957

28 d. For the fourth judicial district department of
29 correctional services:
30 \$ ~~2,789,961~~
31 5,679,922

32 e. For the fifth judicial district department of
33 correctional services, including funding for electronic
34 monitoring devices for use on a statewide basis:
35 \$ ~~10,428,970~~

1 21,557,940

2 It is the intent of the general assembly that the fifth
3 judicial district department of correctional services maintain
4 the drug court operated by the district department.

5 f. For the sixth judicial district department of
6 correctional services:

7 \$ ~~7,356,583~~
8 14,713,165

9 It is the intent of the general assembly that the sixth
10 judicial district department of correctional services maintain
11 the drug court operated by the district department.

12 g. For the seventh judicial district department of
13 correctional services:

14 \$ ~~3,888,671~~
15 7,777,341

16 It is the intent of the general assembly that the seventh
17 judicial district department of correctional services maintain
18 the drug court operated by the district department.

19 h. For the eighth judicial district department of
20 correctional services:

21 \$ ~~4,042,261~~
22 8,084,521

23 2. Each judicial district department of correctional
24 services, within the funding available, shall continue programs
25 and plans established within that district to provide for
26 intensive supervision, sex offender treatment, diversion of
27 low-risk offenders to the least restrictive sanction available,
28 job development, and expanded use of intermediate criminal
29 sanctions.

30 3. Each judicial district department of correctional
31 services shall provide alternatives to prison consistent with
32 chapter 901B. The alternatives to prison shall ensure public
33 safety while providing maximum rehabilitation to the offender.
34 A judicial district department of correctional services may
35 also establish a day program.

1 4. The governor's office of drug control policy shall
 2 consider federal grants made to the department of corrections
 3 for the benefit of each of the eight judicial district
 4 departments of correctional services as local government
 5 grants, as defined pursuant to federal regulations.

6 5. The department of corrections shall continue to contract
 7 with a judicial district department of correctional services to
 8 provide for the rental of electronic monitoring equipment which
 9 shall be available statewide.

10 6. The public safety assessment shall not be utilized
 11 in pretrial hearings when determining whether to detain or
 12 release a defendant before trial, and the use of the public
 13 safety assessment pilot program shall be terminated as of the
 14 effective date of this subsection, until such time the use of
 15 the public safety assessment has been specifically authorized
 16 by the general assembly.

17 Sec. 6. 2017 Iowa Acts, chapter 167, section 36, is amended
 18 to read as follows:

19 SEC. 36. IOWA LAW ENFORCEMENT ACADEMY.

20 1. There is appropriated from the general fund of the
 21 state to the Iowa law enforcement academy for the fiscal year
 22 beginning July 1, 2018, and ending June 30, 2019, the following
 23 amount, or so much thereof as is necessary, to be used for the
 24 purposes designated:

25 For salaries, support, maintenance, and miscellaneous
 26 purposes, including jailer training and technical assistance,
 27 and for not more than the following full-time equivalent
 28 positions:

29	\$	477,378
30		<u>971,341</u>
31	FTEs	25.00
32		<u>26.00</u>

33 The Iowa law enforcement academy may temporarily exceed and
 34 draw more than the amount appropriated in this subsection and
 35 incur a negative cash balance as long as there are receivables

1 equal to or greater than the negative balance and the amount
2 appropriated in this subsection is not exceeded at the close
3 of the fiscal year.

4 2. The Iowa law enforcement academy may select at least
5 five automobiles of the department of public safety, division
6 of state patrol, prior to turning over the automobiles to
7 the department of administrative services to be disposed
8 of by public auction, and the Iowa law enforcement academy
9 may exchange any automobile owned by the academy for each
10 automobile selected if the selected automobile is used in
11 training law enforcement officers at the academy. However, any
12 automobile exchanged by the academy shall be substituted for
13 the selected vehicle of the department of public safety and
14 sold by public auction with the receipts being deposited in the
15 depreciation fund to the credit of the department of public
16 safety, division of state patrol.

17 3. The Iowa law enforcement academy shall provide training
18 for domestic abuse and human trafficking-related issues
19 throughout the state. The training shall be offered at no
20 cost to the attendees and the training shall not replace any
21 existing domestic abuse or human trafficking training offered
22 by the academy.

23 Sec. 7. 2017 Iowa Acts, chapter 167, section 37, is amended
24 to read as follows:

25 SEC. 37. STATE PUBLIC DEFENDER. There is appropriated from
26 the general fund of the state to the office of the state public
27 defender of the department of inspections and appeals for the
28 fiscal year beginning July 1, 2018, and ending June 30, 2019,
29 the following amounts, or so much thereof as is necessary, to
30 be used for the purposes designated:

31 1. For salaries, support, maintenance, and miscellaneous
32 purposes, and for not more than the following full-time
33 equivalent positions:

34	\$ 13,091,122
35	<u>26,505,299</u>

1 FTEs 223.00

2 2. For payments on behalf of eligible adults and juveniles
3 from the indigent defense fund, in accordance with section
4 815.11:

5 \$ ~~16,722,224~~
6 35,144,448

7 Sec. 8. 2017 Iowa Acts, chapter 167, section 38, is amended
8 to read as follows:

9 SEC. 38. BOARD OF PAROLE. There is appropriated from the
10 general fund of the state to the board of parole for the fiscal
11 year beginning July 1, 2018, and ending June 30, 2019, the
12 following amount, or so much thereof as is necessary, to be
13 used for the purposes designated:

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17 \$ ~~595,866~~
18 1,221,374
19 FTEs 10.75

20 Sec. 9. 2017 Iowa Acts, chapter 167, section 39, is amended
21 to read as follows:

22 SEC. 39. DEPARTMENT OF PUBLIC DEFENSE.

23 1. There is appropriated from the general fund of the
24 state to the department of public defense, for the fiscal year
25 beginning July 1, 2018, and ending June 30, 2019, the following
26 amounts, or so much thereof as is necessary, to be used for the
27 purposes designated:

28 For salaries, support, maintenance, and miscellaneous
29 purposes, and for not more than the following full-time
30 equivalent positions:

31 \$ ~~3,111,662~~
32 6,334,961
33 FTEs 248.00

34 2. The department of public defense may temporarily exceed
35 and draw more than the amount appropriated in this section and

1 incur a negative cash balance as long as there are receivables
2 of federal funds equal to or greater than the negative balance
3 and the amount appropriated in this section is not exceeded at
4 the close of the fiscal year.

5 Sec. 10. 2017 Iowa Acts, chapter 167, section 40, is amended
6 to read as follows:

7 SEC. 40. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY
8 MANAGEMENT.

9 1. There is appropriated from the general fund of the state
10 to the department of homeland security and emergency management
11 for the fiscal year beginning July 1, 2018, and ending June
12 30, 2019, the following amounts, or so much thereof as is
13 necessary, to be used for the purposes designated:

14 For salaries, support, maintenance, and miscellaneous
15 purposes, and for not more than the following full-time
16 equivalent positions:

17	\$	1,060,964
18		<u>2,123,610</u>
19	FTEs	33.87

20 2. The department of homeland security and emergency
21 management may temporarily exceed and draw more than the amount
22 appropriated in this section and incur a negative cash balance
23 as long as there are receivables of federal funds equal to or
24 greater than the negative balance and the amount appropriated
25 in this section is not exceeded at the close of the fiscal
26 year.

27 Sec. 11. 2017 Iowa Acts, chapter 167, section 41, is amended
28 to read as follows:

29 SEC. 41. DEPARTMENT OF PUBLIC SAFETY. There is appropriated
30 from the general fund of the state to the department of public
31 safety for the fiscal year beginning July 1, 2018, and ending
32 June 30, 2019, the following amounts, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 1. For the department's administrative functions, including
35 salaries and the adjustment of salaries throughout the

1 department, the criminal justice information system, and for
 2 not more than the following full-time equivalent positions:

3	\$	2,071,566
4		<u>6,631,377</u>
5	FTEs	37.00

6 2. For the division of criminal investigation, including
 7 the state's contribution to the peace officers' retirement,
 8 accident, and disability system provided in chapter 97A in the
 9 amount of the state's normal contribution rate, as defined in
 10 section 97A.8, multiplied by the salaries for which the moneys
 11 are appropriated, to meet federal fund matching requirements,
 12 and for not more than the following full-time equivalent
 13 positions:

14	\$	6,795,272
15		<u>14,463,083</u>
16	FTEs	160.00
17		<u>162.00</u>

18 a. As a condition of the appropriation in this subsection,
 19 the division of criminal investigation shall expend up to
 20 \$200,000 to employ 2.0 full-time equivalent positions to assist
 21 in expediting the processing and analysis of DNA samples.

22 b. The division of criminal investigation may employ two of
 23 the three additional full-time equivalent positions authorized
 24 pursuant to this subsection that are in excess of the number
 25 of full-time equivalent positions authorized for the previous
 26 fiscal year only if the division of criminal investigation
 27 receives sufficient federal moneys to maintain employment for
 28 the additional 2.00 full-time equivalent positions during the
 29 current fiscal year. The division of criminal investigation
 30 shall only employ the additional 2.00 full-time equivalent
 31 positions in succeeding fiscal years if sufficient federal
 32 moneys are received during each of those succeeding fiscal
 33 years.

34 3. For the criminalistics laboratory fund created in
 35 section 691.9:

1 \$ ~~151,173~~
 2 302,345

3 4. a. For the division of narcotics enforcement, including
 4 the state's contribution to the peace officers' retirement,
 5 accident, and disability system provided in **chapter 97A** in the
 6 amount of the state's normal contribution rate, as defined in
 7 section 97A.8, multiplied by the salaries for which the moneys
 8 are appropriated, to meet federal fund matching requirements,
 9 and for not more than the following full-time equivalent
 10 positions:

11 \$ ~~3,726,650~~
 12 7,585,873
 13 FTEs 66.50

14 The division of narcotics enforcement may employ an
 15 additional 1.00 full-time equivalent position authorized
 16 pursuant to this lettered paragraph that is in excess of
 17 the number of full-time equivalent positions authorized for
 18 the previous fiscal year only if the division of narcotics
 19 enforcement receives sufficient federal moneys to maintain
 20 employment for the additional full-time equivalent position
 21 during the current fiscal year. The division of narcotics
 22 enforcement shall only employ the additional full-time
 23 equivalent position in succeeding fiscal years if sufficient
 24 federal moneys are received during each of those succeeding
 25 fiscal years.

26 b. For the division of narcotics enforcement for undercover
 27 purchases:

28 \$ ~~54,521~~
 29 109,042

30 5. For the division of state fire marshal, for fire
 31 protection services as provided through the state fire service
 32 and emergency response council as created in the department,
 33 and for the state's contribution to the peace officers'
 34 retirement, accident, and disability system provided in chapter
 35 97A in the amount of the state's normal contribution rate,

1 as defined in [section 97A.8](#), multiplied by the salaries for
 2 which the moneys are appropriated, and for not more than the
 3 following full-time equivalent positions:

4	\$	2,343,357
5		<u>4,765,056</u>
6	FTEs	53.00

7 As a condition of receiving the appropriation in this
 8 subsection, the commissioner of the department of public safety
 9 shall appoint the administrator of the fire service training
 10 bureau of the division of state fire marshal as provided in
 11 section 100B.7.

12 6. For the division of state patrol, for salaries, support,
 13 maintenance, workers' compensation costs, and miscellaneous
 14 purposes, including the state's contribution to the peace
 15 officers' retirement, accident, and disability system provided
 16 in [chapter 97A](#) in the amount of the state's normal contribution
 17 rate, as defined in [section 97A.8](#), multiplied by the salaries
 18 for which the moneys are appropriated, and for not more than
 19 the following full-time equivalent positions:

20	\$	30,683,170
21		<u>62,126,287</u>
22	FTEs	511.40

23 It is the intent of the general assembly that members of the
 24 state patrol be assigned to patrol the highways and roads in
 25 lieu of assignments for inspecting school buses for the school
 26 districts.

27 7. For deposit in the sick leave benefits fund established
 28 under [section 80.42](#) for all departmental employees eligible to
 29 receive benefits for accrued sick leave under the collective
 30 bargaining agreement:

31	\$	139,759
32		<u>279,517</u>

33 8. For costs associated with the training and equipment
 34 needs of volunteer fire fighters:

35	\$	412,760
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1 825,520

2 a. Notwithstanding [section 8.33](#), moneys appropriated in
 3 this subsection that remain unencumbered or unobligated at the
 4 close of the fiscal year shall not revert but shall remain
 5 available for expenditure only for the purpose designated in
 6 this subsection until the close of the succeeding fiscal year.

7 b. Notwithstanding [section 8.39](#), the department of public
 8 safety may reallocate moneys appropriated in this section
 9 as necessary to best fulfill the needs provided for in the
 10 appropriation. However, the department shall not reallocate
 11 moneys appropriated to the department in this section unless
 12 notice of the reallocation is given to the legislative services
 13 agency and the department of management prior to the effective
 14 date of the reallocation. The notice shall include information
 15 regarding the rationale for reallocating the moneys. The
 16 department shall not reallocate moneys appropriated in this
 17 section for the purpose of eliminating any program.

18 9. For the public safety interoperable and broadband
 19 communications fund established in [section 80.44](#):

20 \$ 57,831
 21 115,661

22 10. For the office to combat human trafficking established
 23 pursuant to [section 80.45](#) as enacted by 2016 Iowa Acts, chapter
 24 1077, section 1, including salaries, support, maintenance,
 25 miscellaneous purposes, and for not more than the following
 26 full-time equivalent positions:

27 \$ 75,000
 28 150,000
 29 FTEs 2.00

30 ~~11. For department wide duties, including operations,~~
 31 ~~costs, and miscellaneous purposes:~~

32 \$ ~~917,487~~

33 Sec. 12. 2017 Iowa Acts, chapter 167, section 42, is amended
 34 to read as follows:

35 SEC. 42. GAMING ENFORCEMENT.

1 1. There is appropriated from the gaming enforcement
 2 revolving fund created in [section 80.43](#) to the department of
 3 public safety for the fiscal year beginning July 1, 2018, and
 4 ending June 30, 2019, the following amount, or so much thereof
 5 as is necessary, to be used for the purposes designated:

6 For any direct support costs for agents and officers of
 7 the division of criminal investigation's excursion gambling
 8 boat, gambling structure, and racetrack enclosure enforcement
 9 activities, including salaries, support, maintenance, and
 10 miscellaneous purposes, and for not more than the following
 11 full-time equivalent positions:

12	\$	4,872,636
13		<u>10,239,218</u>
14	FTEs	73.00

15 2. For each additional license to conduct gambling games on
 16 an excursion gambling boat, gambling structure, or racetrack
 17 enclosure issued during the fiscal year beginning July 1, 2018,
 18 there is appropriated from the gaming enforcement fund to the
 19 department of public safety for the fiscal year beginning July
 20 1, 2018, and ending June 30, 2019, an additional amount of not
 21 more than \$300,000 to be used for not more than 3.00 additional
 22 full-time equivalent positions.

23 3. The department of public safety, with the approval of the
 24 department of management, may employ no more than three special
 25 agents for each additional riverboat or gambling structure
 26 regulated after July 1, 2018, and three special agents for
 27 each racing facility which becomes operational during the
 28 fiscal year which begins July 1, 2018. Positions authorized
 29 in this subsection are in addition to the full-time equivalent
 30 positions otherwise authorized in this section.

31 Sec. 13. 2017 Iowa Acts, chapter 167, section 43, is amended
 32 to read as follows:

33 SEC. 43. CIVIL RIGHTS COMMISSION.

34 1. There is appropriated from the general fund of the state
 35 to the Iowa state civil rights commission for the fiscal year

1 beginning July 1, 2018, and ending June 30, 2019, the following
 2 amount, or so much thereof as is necessary, to be used for the
 3 purposes designated:

4 For salaries, support, maintenance, and miscellaneous
 5 purposes, and for not more than the following full-time
 6 equivalent positions:

7	\$	578,531
8		<u>1,198,266</u>
9	FTEs	30.00

10 2. The Iowa state civil rights commission may enter into
 11 a contract with a nonprofit organization to provide legal
 12 assistance to resolve civil rights complaints.

13 Sec. 14. 2017 Iowa Acts, chapter 167, section 44, is amended
 14 to read as follows:

15 SEC. 44. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION.

16 1. There is appropriated from the general fund of the state
 17 to the criminal and juvenile justice planning division of the
 18 department of human rights for the fiscal year beginning July
 19 1, 2018, and ending June 30, 2019, the following amount or
 20 so much thereof as is necessary, to be used for the purposes
 21 designated:

22 For salaries, support, maintenance, and miscellaneous
 23 purposes, and for not more than the following full-time
 24 equivalent positions:

25	\$	593,917
26		<u>1,209,410</u>
27	FTEs	9.56

28 2. The criminal and juvenile justice planning advisory
 29 council and the juvenile justice advisory council shall
 30 coordinate their efforts in carrying out their respective
 31 duties relative to juvenile justice.

32 Sec. 15. 2017 Iowa Acts, chapter 167, section 45, is amended
 33 to read as follows:

34 SEC. 45. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY

35 MANAGEMENT. There is appropriated from the ~~E911~~ 911 emergency

1 communications fund created in **section 34A.7A** to the department
 2 of homeland security and emergency management for the fiscal
 3 year beginning July 1, 2018, and ending June 30, 2019, the
 4 following amount, or so much thereof as is necessary, to be
 5 used for the purposes designated:

6 For implementation, support, and maintenance of the
 7 functions of the administrator and program manager under
 8 chapter 34A and to employ the auditor of the state to perform
 9 an annual audit of the ~~E911~~ 911 emergency communications fund:

10	\$	125,000
11		<u>250,000</u>

12 Sec. 16. 2017 Iowa Acts, chapter 167, is amended by adding
 13 the following new section:

14 NEW SECTION. SEC. 46. CONSUMER EDUCATION AND
 15 LITIGATION — FARM MEDIATION AND PROSECUTIONS, APPEALS, AND
 16 CLAIMS. Notwithstanding section 714.16C, there is appropriated
 17 from the consumer education and litigation fund to the
 18 department of justice for the fiscal year beginning July 1,
 19 2018, and ending June 30, 2019, the following amount, or so
 20 much thereof as is necessary, to be used for the purposes
 21 designated:

22 a. For farm mediation services as specified in section
 23 13.13, subsection 2:

24	\$	300,000
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25 b. For salaries, support, maintenance, and miscellaneous
 26 purposes for criminal prosecutions, criminal appeals, and
 27 performing duties pursuant to chapter 669:

28	\$	1,000,000
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29 Sec. 17. Section 13.2, subsection 1, paragraph g, Code 2018,
 30 is amended by striking the paragraph.

31 Sec. 18. NEW SECTION. **80.46 Public safety support trust**
 32 **fund.**

33 1. A public safety support trust fund is established in
 34 the state treasury under the control of the department. The
 35 department may receive and accept donations, grants, loans, and

1 contributions in accordance with section 565.3 from any public
2 or private source for deposit into the trust fund. Moneys
3 credited to the trust fund are appropriated to the department
4 for the purpose of supporting the activities of the department.

5 2. Notwithstanding section 8.33, moneys in the trust fund
6 shall not revert. Notwithstanding section 12C.7, subsection
7 2, interest or earnings on moneys deposited in the trust fund
8 shall be credited to the trust fund.

9 Sec. 19. NEW SECTION. 719.9 Use of unmanned aerial vehicle
10 — prohibitions.

11 1. As used in this section:

12 a. "*Facility*" means a county jail, municipal holding
13 facility, secure facility for the detention or custody
14 of juveniles, community-based correctional facility, or
15 institution under the management of the department of
16 corrections.

17 b. "*Unmanned aerial vehicle*" means a vehicle or device
18 that uses aerodynamic forces to achieve flight and is piloted
19 remotely.

20 2. A person shall not operate an unmanned aerial vehicle
21 knowing that the unmanned aerial vehicle is operating in, on,
22 or above a facility and any contiguous real property comprising
23 the surrounding grounds of the facility, unless the unmanned
24 aerial vehicle is operated by a law enforcement agency or the
25 person has permission from the authority in charge of the
26 facility to operate an unmanned aerial vehicle in, on, or above
27 such facility.

28 3. This section does not apply to an unmanned aerial
29 vehicle while operating for commercial use in compliance with
30 federal aviation administration regulations, authorizations,
31 or exemptions.

32 4. A person who violates this section commits a class "D"
33 felony.

34 Sec. 20. Section 904.310A, Code 2018, is amended by striking
35 the section and inserting in lieu thereof the following:

1 **904.310A Information or materials — distribution.**

2 1. Funds appropriated to the department or other funds made
3 available to the department shall not be used to distribute
4 or make available any commercially published information or
5 material to an inmate when such information or material is
6 sexually explicit or features nudity.

7 2. The department shall adopt rules pursuant to chapter 17A
8 to administer this section.

9 Sec. 21. EFFECTIVE DATE. The following, being deemed of
10 immediate importance, takes effect upon enactment:

11 The portion of this Act amending 2017 Iowa Acts, chapter 167,
12 section 31, prohibiting the utilization of the public safety
13 assessment in pretrial hearings.